

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 2022-111-T - ORDER NO. 2022-301

MAY 13, 2022

IN RE: Application of Gentlemen Movers,	)	ORDER APPROVING
Incorporated to Amend Current Tariff (See	)	TARIFF AMENDMENTS
Docket No. 2006-32-T)	)	

**I. INTRODUCTION**

This matter comes before the Public Service Commission of South Carolina (Commission) by the March 16, 2022 application of Gentlemen Movers, Inc., (Gentlemen Movers), seeking approval to amend its tariff. We approve the application as set forth in this Order.

**II. FACTS AND PROCEDURAL HISTORY**

By way of background, the Commission granted Robert Hill Marye, doing business as Gentlemen Movers, a Class E Certificate of Public Convenience and Necessity to transport household goods on June 12, 2006, in Order No. 2006-363. Gentlemen Movers filed the current application on March 16, 2022, asking to amend its tariff. More specifically, Gentlemen Movers proposes the following amendments:

Current Proposal:	
2 men, 1 truck	\$148.50
3 men, 1 truck	\$181.50
4 men, 1 truck	\$220.00
4 men, 2 trucks	\$265.00
5 men, 2 trucks	\$298.50
6 men, 2 trucks	\$335.50
6 men, 3 trucks	\$380.50

This includes gas tax.

(Electronic mail dated March 16, 2022).

Gentlemen Movers also filed a Notice of Filing from a previous Docket, Docket No. 2018-31-T, as its current tariff, indicating its current rates are as follows:

Number of Movers	Hourly Rate
2 men and a truck	\$105.00
3 men and a truck	\$135.00
4 men and a truck	\$165.00
3 men and 2 trucks	\$175.00
4 men and 2 trucks	\$200.00
5 men and 2 trucks	\$225.00
6 men and 2 trucks	\$255.00
6 men and 3 trucks	\$305.00
Each additional man	\$ 35.00 per man/per hour

10 % fuel surcharge for jobs 30 miles away from office location where the trucks start from 2330 legrand road, Columbia sc 29223

As justification for the request, Gentlemen Movers advised the Commission in electronic mail dated March 10, 2022, filed on March 16, 2022, the following:

I, Robert Marye, owner of [G]entlemen [M]overs [I]nc, do ask for a[n] expedited review for the publication of a tariff increase. As you know the gas rates, especially the diesel rates have gone up immensely and probably will be with us for some time. Please help me on this matter because it has the greatest effect on my company and livelihood right now. Thanks.

The South Carolina Office of Regulatory Staff (ORS), a party of record pursuant to Section 58-41-10(B) of the South Carolina Code of Laws (Supp. 2021), notified the Commission on March 17, 2022, Alexander W. Knowles, Esquire, would appear on behalf of ORS in this docket.

On March 31, 2022, the Commission issued Directive Order 2022-213, stating the Commission would carry the docket over “until we receive an impact study from ORS. As a result, the request for expedited review is denied. Once the Commission receives an Impact Study from ORS, the matter will be placed on the Commission’s Agenda for action.”

On April 28, 2022, the Commission took action to approve the application of Gentlemen Movers to amend its tariff.

On May 2, 2022, counsel for ORS inquired of counsel for the Commission whether the Commission received a final amended tariff and notified the Commission ORS did not object to the request of Gentlemen Movers, nor to the Commission’s directive. However, ORS inquired whether the final version of the amended tariff had been filed with the Commission.

Upon response from Commission counsel, on May 4, 2022, Gentlemen Movers filed a Final Amended Tariff with the Commission.

On May 9, 2022, ORS notified the Commission it had conducted a compliance review of Gentlemen Movers on April 6, 2022, and found Gentlemen Movers in compliance with all Commission rules and regulations, including Annual Report and Gross Receipt filings. ORS also notified the Commission it had not received any consumer complaints regarding Gentlemen Movers in the past year. In addition, ORS provided the following tariff comparison:

	Description	Unit	Approved Rate	Proposed Rate	Increase Amount	% Increase
Hourly Rates and charges	2 men 1 truck	Per hour	\$105.00	\$148.50	\$43.50	41.43%
	3 men 1 truck	Per hour	\$135.00	\$181.50	\$46.50	34.44%
	4 men 1 truck	Per hour	\$165.00	\$220.00	\$55.00	33.33%
	4 men 2 trucks	Per hour	\$200.00	\$265.00	\$65.00	32.50%
	5 men 2 trucks	Per hour	\$225.00	\$298.00	\$73.00	32.44%
	6 men 2 trucks	Per hour	\$255.00	\$335.00	\$80.00	31.37%
	6 men 3 trucks	Per hour	\$305.00	\$380.00	\$75.00	24.59%

### III. LAW

The Commission is specifically authorized to regulate carriers of household goods, and to set their rates and charges: “[t]he commission must promulgate regulations necessary to control entry and certification standards, set rates and charges, and establish enforcement procedures and powers to govern the operations of carriers of household goods and hazardous waste for disposal.” S. C. Code Ann. § 58-23-590 (2015).

The Commission is authorized to fix or approve the rates charged by every South Carolina motor vehicle carrier: “[t]he commission shall regulate every motor carrier in this State and fix or approve the rates, fares, charges, classifications, and regulations pertaining to each motor carrier . . . . The rates once established remain in effect until such time when the commission determines the rates are unreasonable.” § 58-23-1010.

The commission shall make, fix, establish, or allow just and reasonable rates, fares, charges, classifications, and rules for all motor carriers subject to its rate jurisdiction.

As often as circumstances may require, the commission upon notice and hearing, if deemed necessary, from time to time may change or revise, or cause to be changed or revised, any rates, fares, charges, classifications, and rules of a carrier who operates under a Certificate of PC&N.

S.C. Code of State Regulations 103-191 (2012).

“Every rate made, demanded, or received by any motor carrier operating under a Certificate of PC&N . . . shall be just and reasonable.” Reg. 103-192. Once rates are approved, motor carriers are prohibited from charging more or less than the rates specified in lawful tariffs, schedules, or by specific order of the Commission:

[N]o motor carrier operating under a Certificate of PC&N shall charge . . . a greater or lesser or different compensation for transportation, or for any service rendered, than the rates, fares, and charges specified in the lawfully applicable tariffs or schedules in effect from time to time.

S.C. Code Ann. Regs. 103-198.

Every motor carrier of property operating under a Certificate of PC&N and FWA shall provide safe and adequate service, equipment, and facilities for the transportation of property, and shall establish, observe, and enforce just and reasonable regulations and practices relating thereto and to the manner and method of presenting, marking, packing, and delivering property for transportation, the facilities for transportation, and all other matters relating to or connected with the transportation of property.

S.C. Code Ann. Regs. 103-195.

In the exercise of its power to prescribe just and reasonable rates for the transportation of passengers or property by common carriers operating under a Certificate of PC&N, the Commission may give due consideration, among other factors, to the need in the public interest of adequate and efficient transportation service by such carriers at the lowest cost consistent with the furnishing of such service and to the need of such carriers for revenues sufficient to enable them, under economical and efficient management, to provide such service.

S.C. Code Ann. Regs. 103-194.

**IV. FINDINGS OF FACT**

1. Gentlemen Movers provided sufficient justification to the Commission for the request to amend its tariff.

2. We find the proposed amendments to increase the hourly rates and charges requested by Gentlemen Movers are reasonable.

3. The Commission made its ruling based upon the evidence in the record received on or before April 28, 2022.

**V. CONCLUSIONS OF LAW**

1. The Commission has the authority to approve amendments to a motor carrier's tariffs as set forth in Sections 58-23-590 and 58-23-1010 of the South Carolina Code of Laws and Regulation 103-191 of the South Carolina Code of State Regulations.

2. The proposed amendments to the tariff are reasonable pursuant to Regulations 103-191 and 103-192.

**VI. ORDERING PROVISIONS**

**IT IS THEREFORE ORDERED THAT:**

1. The Application of Gentlemen Movers, Inc. to amend its tariff is approved.

2. A copy of the Final Amended Tariff shall be attached hereto as Order Exhibit No. 1.

3. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:



A handwritten signature in blue ink, appearing to read "Florence P. Belser", is written over a horizontal line.

Florence P. Belser, Vice Chair  
Public Service Commission of  
South Carolina

**REGULATIONS AND SCHEDULE OF CHARGES APPLICABLE TO  
CERTAIN INTRASTATE HOUSEHOLD GOODS MOVES WITHIN THE  
STATE OF SOUTH CAROLINA**



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**Applicability of Tariff**

This tariff contains the regulations and rates applicable to the provision of intrastate household goods moved by Gentlemen Movers. These services are furnished between points and places in all South Carolina counties.

**Gentlemen Movers****South Carolina Household Goods Tariff****SECTION 1****1.0 Transportation Charges**

Transportation Charges include the hourly rates as listed below.

**1.1 Hourly Rates and Charges**

Moves will be conducted on a "straight time" basis, with a minimum hourly charge as set out below plus actual travel time. The clock starts at the appropriate hourly rate when the movers leave the office location, and the movers estimate return time to the office location.

<b><u>Number of Movers</u></b>	<b><u>Hourly Rate</u></b>
Two Men and a Truck	\$148.50
Three Men and a Truck	\$181.00
Four Men and a Truck	\$220.00
Three Men and a Two Trucks	\$225.00
Four Men and Two Trucks	\$265.00
Five Men and Two Trucks	\$300.00
Six Men and Two Trucks	\$335.50
Six Men and Two Trucks	\$380.50
Each Additional Man	\$40.00 per man/per hour

This rate includes gas, tax and insurance for all regulated moves.

**1.2 Office Hours / Minimum Hourly Charges:**

Gentlemen Movers will operate Monday – Friday, 8:00 am – 6:00 pm and Saturday from 8:00am – 4:00pm.

Monday- Friday	Two-Hour Minimum Charge
Saturday	Two-Hour Minimum Charge
Recognized Federal Holidays	Three- Hour Minimum Charge

After the minimum hourly charge, the hourly rates are calculated in fifteen-minute increments. Any interim charge is rounded up to the next fifteen-minute increment. If customers cancel within 24 hours of their move, Gentlemen Movers will charge the applicable minimum. Hourly rates are the same, six days a week, 24 hours a day, in every season of the year. Customers are not charged an additional fee for overtime labor.

## SECTION 2

### **2.0 ADDITIONAL SERVICES**

The following charges shall be assessed in addition to the hourly rates quoted in Section 1 of this tariff, in connection with a move involving additional items:

#### **2.1 Bulky Article Charges (per item): Hourly charge based on location, access and weight**

- Floor Model Television (60" or above) - \$75
- Pool Tables- No
- Gun cabinet - \$75
- Steel Gun Cabinet (in excess of 400 lbs.) - \$150
- Hot Tubs, Whirlpools – 150.00 plus Hourly Charge
- Riding Lawnmowers- 150.00 plus Hourly Charge
- Freezers - \$75
- Flat Screen Televisions (60" or above) with household goods \$70.00
- Flat Screen Televisions (60" or above) alone \$70.00
- Golf Carts- 150.00 plus Hourly charge

#### **2.2 Elevator or Stair Carry**

Gentlemen Movers does not charge an additional fee for elevator or stair carry, except as specified in Section 2.1 above.

#### **2.3 Excessive Distance or Long Carry Charges**

Gentlemen Movers does not charge an additional fee for carrying articles an excessive distance from the motor vehicle.

#### **2.4 Pick Up and Delivery**

Gentlemen Movers does not charge an additional fee for making additional pick- ups or deliveries after the initial stop.

## **2.5 Packing and Unpacking**

**2.5.1** Gentlemen Movers does not charge an additional fee for packing and unpacking. The packing rate is the same as the hourly rate listed in Section 1; plus the market price of packing materials, including sales tax on the materials.

**2.5.2** Gentlemen Movers is not responsible for items packed by the customer. Boxes containing fragile or breakable items must be properly labeled. Gentlemen Movers reserves the right to decline any moves consisting of extremely large or fragile items.

## **2.6 Piano Charges**

Gentlemen Movers will move pianos.

- Up wright piano - \$75.00 plus Hourly Charge – up a flight of stairs \$75.00
- Baby Grand piano – \$150.00 plus Hourly Charge – up a flight of stairs \$150.00
- Grand piano - \$150.00 plus Hourly Charge

## **2.7 Articles, Special Servicing**

The rates and charges in this tariff do not include servicing or connection of appliances such as freezers, refrigerators, computer equipment, washers, dryers, televisions, and similar articles.

## **2.8 Waiting Time**

The customer is charged the rates specified in Section 1 for all waiting time or delays not at the fault of Gentlemen Movers.

**SECTION 3****3.0 RULES AND REGULATIONS****3.1 Claims**

- 3.1.1** All claims for loss, damage or overcharge must be written and should be attached to the Bill of Lading.
- 3.1.2** Claimant must immediately notify carrier of all claims for concealed damage. Gentlemen Movers must be given reasonable opportunity to inspect damaged items in original packing.
- 3.1.3** Although our movers will be careful with your possessions, from time to time damages may occur. If damages are caused by our service, Gentlemen Movers reserves the right to repair the damage(s) in question. If we determine that damages cannot be repaired, we reserve the right to either replace or compensate (actual cash value) for the damage the day of the move depreciated value. If there is damage, notify Gentlemen Movers immediately. They will complete a Damage Report before they leave your site. If you discover damage after the move, call the office within 96 hours of your move. No damage claims will be honored until the charges for moving services are paid in full. You will be asked to sign a Release of Liability acknowledging this.

**3.2 Computing Charges**

Gentlemen Movers rates are computed by multiplying the applicable hourly rate by the time as provided in Section 1.

**3.3 Governing Publications**

Gentlemen Movers rates and charges are governed by the terms and conditions of this tariff, and the Rules and Regulations of the South Carolina Public Service Commission.

**3.4 Items of Particular Value**

Gentlemen Movers does not assume any liability whatsoever for documents, currency, credit cards, jewelry, watches, precious stones or articles of extraordinary value including accounts, bills, deeds, evidences of debt, securities, notes, postage stamps, stamp collections, trading stamps, revenue stamps, letters or packets of letters, alcoholic beverages, firearms, coin collections, articles of peculiarly inherent or intrinsic value, precious metals or articles manufactured there from. Gentlemen Movers will not accept responsibility for safe delivery of such articles if they come into Gentlemen Movers possession with or without Gentlemen Mover's knowledge.

**3.5 Bill of Lading, Contract Terms, and Conditions**

Each customer will be provided with a copy of Gentlemen Mover's Bill of Lading. The terms and conditions of the Bill of Lading, attached hereto, are hereby incorporated by reference.

**3.6 Delays**

Gentlemen Movers shall not be liable for any damages, delays in transporting household goods resulting from an act of God or fault or neglect of any unforeseen entities.

**SECTION 4****4.0 PROMOTIONS**

Gentlemen Movers shall apply the following promotions, in a uniform and nondiscriminatory fashion: